

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PERSONALIZED MEDIA
COMMUNICATIONS, LLC**

v.

APPLE, INC.

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CIVIL ACTION NO. 2:15-cv-1366-JRG

**MINUTES FOR BENCH TRIAL
HELD BEFORE U.S. DISTRICT JUDGE RODNEY GILSTRAP
June 22, 2021**

OPEN: 10:07 AM

ADJOURN: 06:55 PM

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANT: See attached

LAW CLERKS: Lee Matalon
Cason Cole

COURT REPORTER: Susan Zielie, RMR, FCRR

COURTROOM DEPUTY: Andrea Brunson, CP

TIME	MINUTES
10:07 AM	Court opened. Parties announced ready to proceed.
10:09 AM	Court provided instruction to counsel.
10:10 AM	Opening statement by Mr. Arovas on behalf of Defendant, Apple.
10:19 AM	Opening statement by Mr. Kline on behalf of Plaintiff, PMC.
10:34 AM	Witness sworn. Direct examination of Mr. Tom Scott by Mr. Arovas.
11:25 AM	Recess.
11:37 AM	Court reconvened.
11:37 AM	Cross examination of Mr. Tom Scott by Ms. Shiferman.
11:40 AM	Redirect examination of Mr. Tom Scott by Mr. Arovas.
11:42 AM	Mr. Arovas introduced the written oral deposition of Mr. John Harvey, which was read into the record.
11:47 AM	Reading of written oral deposition of Mr. John Harvey concluded.
11:47 AM	Video deposition of Mr. Boyd Lemna.
11:49 AM	Video deposition of Mr. Boyd Lemna, concluded.
11:49 AM	Recessed for lunch.
01:13 PM	Court reconvened.
01:14 PM	Witness sworn. Direct examination of Mr. Anthony Wechselberger by Mr. Sernel.
01:45 PM	Pass the witness. Questions posed to Mr. Wechselberger by the Court.

01:50 PM	Cross examination of Mr. Anthony Wechselberger by Ms. Valenti.
02:07 PM	Redirect examination of Mr. Anthony Wechselberger by Mr. Sernel.
02:09 PM	Witness excused.
02:09 PM	Witness sworn. Direct examination of Dr. Stephen Wicker by Mr. Rabinowitz.
02:15 PM	Cross examination of Dr. Stephen Wicker by Mr. Martin.
02:22 PM	Redirect examination of Dr. Stephen Wicker by Mr. Rabinowitz.
02:24 PM	Witness excused by the Court.
02:25 PM	Defendant rested its case-in-chief.
02:26 PM	Witness sworn. Direct examination of Dr. Samuel Russ by Ms. Valenti.
02:53 PM	Cross examination of Dr. Samuel Russ by Mr. Sernel.
03:15 PM	Redirect examination of Dr. Samuel Russ by Ms. Valenti.
03:15 PM	Witness excused.
03:16 PM	Recess.
03:29 PM	Court reconvened.
03:29 PM	Direct examination of Mr. Tom Scott by Ms. Shiferman.
04:59 PM	Cross examination of Mr. Tom Scott by Mr. Arovas.
05:29 PM	Redirect examination of Mr. Tom Scott by Ms. Shiferman.
05:36 PM	Witness excused.
05:36 PM	Plaintiff rested its case-in-chief.
05:36 PM	Defendant offered no rebuttal witnesses.
05:36 PM	Recess.
06:04 PM	Court reconvened.
06:04 PM	Closing argument by Mr. Arovas for Defendant, Apple.
06:22 PM	Closing argument by Mr. Kline for Plaintiff, PMC.
06:45 PM	Rebuttal closing argument by Mr. Arovas for Defendant, Apple.
06:53 PM	Closing arguments concluded.
06:53 PM	Court took the matter under submission. Both sides are to separately submit a proposed Findings of Fact and Conclusions of Law within two (2) weeks from today. Submissions should be prepared in Word format and electronically submitted to Court staff. Parties to confer with the courtroom deputy for specific directions for the submission of exhibits used during the course of the bench trial.
06:54 PM	Bench trial concluded.
06:55 PM	Adjourned.
	Exhibits used/referenced/sources (Refer to Dkt. No. 633 and Dkt. No. 634-1 for a full and complete description of each exhibit.)
	PTX 2 PTX 1150 PTX 1155 PTX 1175 PTX 1180 PTX 1181 PTX 1184 PTX 1185 PTX 1186

	PTX 1197 PTX 1199
	DTX 3 DTX 16 DTX 17 DTX 36 DTX 89 DTX 90 DTX 99 DTX 169 DTX 250 DTX 256 DTX 259 DTX 274 DTX 399 DTX 406 DTX 415 DTX 420 DTX 713 DTX 780 DTX 1000 DTX 1494 DTX 1510 DTX 1560 DTX 1566